

REMARKS

Claims 1, 3-7, and 9-11 are now pending in the application. Minor amendments have been made to the specification and claims to simply overcome the objections to the specification and rejections of the claims under 35 U.S.C. § 112. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

ELECTIONS/RESTRICTIONS

Applicant has amended Claims 4 and 5 per examiners suggestion, in removing the term 'solely' to further comply with the restriction amendment of April 12, 2005, and therefore believes these claims should now be allowable.

REJECTION UNDER 35 U.S.C. § 112

Claims 7 and 10 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully traversed.

Applicant has amended claims 7 and 10 to remove any incorrect antecedent reference, as well as removed any terms rendering the claims indefinite, and therefore believes these claims too are now in condition for allowance.

REJECTION UNDER 35 U.S.C. § 102

Claims 1, 3, 6, 9, 11, 7, and 10 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Beck (U.S. Pat. No. 6,520,523). This rejection is respectfully traversed.

Initially, with regard to the above reference, Applicant respectfully would like to point out that the present invention comprises a means of permanently affixing the accessory such as a running board, to a vehicle, where as the 523' patent teaches of releasably securing the running boards to the mounting hardware for subsequent repeated removal.

Specifically, the deflectable tab that is referred to in the 523' patent comprises a release lever, for selectively releasing the spring biased pin mechanism which holds the running board to the bracket. This deflectable tab is not received within a slot on the running board specifically designed to receive the tab and retain it there within. Applicant has amended claims 1 and 9 to more particularly point out this distinct feature above and beyond the prior art of reference.

Regarding the Examiners rejection to claim 3, 6, 10 and 11, in addition to the above comments regarding claim 1, Applicant would also like to reiterate that the mounting post in the present invention is integral to the mounting bracket, and is not moved, biased, nor releasable as compared to the locking pin of the 523' patent.

In regard to examiners comments towards claim 7, applicant disagrees that in the prior art reference 523' the mounting bracket is the sole means for attaching the running board to the vehicle. Specifically, the locking pin 128, lever 129, and spring mechanism (not shown) (Column 3 lines 64-68) all are necessary for attaching the running board,

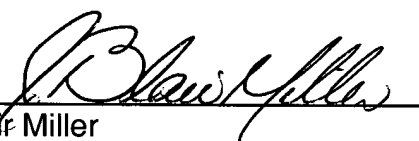
whereas the present invention requires no additional hardware. Applicant has amended claims 1, 3-7, and 9-11 to more particularly point out the features that are not taught, anticipated, nor rendered obvious by the prior art of record, and therefore believes these claims are now in condition for allowance.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: 10/17/05

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